

OCT 12 2001

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7 MR. REMUS: Hello. I'm Andrew Remus, staff
8 to the Inyo County Board of Supervisors. I am
9 delivering this statement on behalf of the Board of
10 Supervisors, consistent with the County's written
11 comments on the Preliminary Site Suitability Evaluation
12 and site recommendation process adopted September 18,
13 2001, which have already been submitted to the U.S.
14 Department of Energy.

15 The release of the Preliminary Site
16 Suitability Evaluation, a document which makes
17 conclusory statements regarding the Yucca Mountain
18 site's suitability for development of a deep geologic
19 repository, is premature in light of the fact that this
20 U.S. Department of Energy has yet to complete NEPA
21 proceedings on the Yucca Mountain proposal. Until a
22 Final Environmental Impact Statement has been completed
23 for use by the Department, DOE has no legitimate basis
24 for making a preliminary suitability determination for
25 the site.

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1 Release of the PSSE is also premature given
2 the fact that key scientific studies regarding waste

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3 package corrosion processes are still underway, and the
4 region's saturated zone, unsaturated zone and alluvial
5 geology is only generally understood. Our review of
6 the Science and Engineering Report, the Draft EIS, the
7 Supplemental EIS, and the discussions taking place
8 among DOE, the Nuclear Waste Technical Review Board and
9 the Nuclear Regulatory Commission indicate the
10 persistence of high levels of uncertainty in the
11 behavior of virtually all geologic, hydrologic and
12 proposed engineered systems associated with the
13 proposed repository.

14 Sufficient information is not before DOE at
15 this time to warrant even the most preliminary
16 conclusions regarding the site's ability to function as
17 intended by the Nuclear Waste Policy Act or meet EPA
18 release standards for the 10,000-year licensing period.
19 A scientifically sound determination of site
20 suitability cannot be made at this juncture, nor any
21 time in the near future.

22 DOE's attempts to evaluate site suitability
23 are based on proposed site suitability guidelines, not
24 the site evaluation guidelines currently in place and
25 legally in effect. It seems obvious to most observers

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1 that site suitability explorations must revolve around
2 those officially adopted, legally binding guidelines
3 already in place, not the proposed, hypothetical,
4 hopeful and legally meaningless guidelines which have
5 served for the framework of the Preliminary Site
6 Suitability Evaluation.

7 The current set of scheduled Site
8 Recommendation Consideration Hearings are premature,
9 inadequate and a clear violation of the letter and
10 intent of the Nuclear Waste Policy Act. They are
11 premature for the same reason that the Site Suitability
12 Evaluation is premature. DOE's attempt to hold field
13 hearings in Inyo County falls woefully short of meeting
14 the needs and expectations Inyo County as stated
15 clearly in the Board of Supervisors letter to Secretary
16 Abraham, dated September 4, 2001. In that letter, we
17 requested a full public hearing on Site Suitability,
18 attended by Secretary Abraham, at Furnace Creek in
19 Death Valley National Park, the area potentially most
20 negatively impacted from the operation of a repository
21 at Yucca Mountain. Our request gained immediate and
22 unambiguous support in the form of a joint letter from

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23 Congressman Jerry Lewis and Senator Dianne Feinstein to

24 Secretary Abraham. Instead of granting our request,

25 the department has seen fit to ignore our request and

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1 have staged, with minimal notice and lead time, field

2 hearings which have none of the scope, scale or

3 exposure warranted of a hearing on a project the

4 magnitude of the proposed repository.

5 Inyo County is unique in its status as the

6 ultimate destination of those radionuclides that will,

7 under all repository design variants under construction

8 by DOE, escape from the repository block and travel via

9 groundwater into the Southern Amargosa Valley and Death

10 Valley National Park. Inyo and San Bernardino Counties

11 contain major sections of the aquifers through which

12 radionuclides are predicted to travel, as well as the

13 Amargosa River system that may serve to transport these

14 same materials via surface water.

15 We would like to point out that Section

16 114(a)(1) of the Nuclear Waste Policy Act, as amended,

17 specifies that, "The Secretary shall hold public

18 hearings in the vicinity of the Yucca Mountain site,

19 for purposes of informing the residents of such

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20 consideration and receiving their comments regarding
21 the possible recommendation on such site."
22 Inyo County, whose border lies just 17 miles
23 from the Yucca Mountain site, certainly qualifies as
24 being in the vicinity of the site. There is no doubt
25 the Nuclear Waste Policy Act obligates DOE to provide
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1 real hearings in Inyo County. Further, Section 114
2 points to a hearing process limited to receiving
3 comments from residents of the area and their elected
4 representatives. Testimony at these hearings should be
5 limited to parties within, or representative of, the
6 vicinity of the site, in other words, from the Inyo,
7 San Bernardino, Nye and Clark Counties. DOE failed to
8 attempt to achieve compliance with Nuclear Waste Policy
9 Act Section 114(a)(1) at the September 5, 2001, hearing
10 in Las Vegas, Nevada, and would be well advised to
11 comply fully with this requirement with respect to
12 California and Inyo County.

13 The Preliminary Site Suitability Evaluation
14 claims that the site appears to be capable of meeting
15 the EPA radiation protection standards. This gives us
16 no comfort whatsoever. The EPA's radiation protection

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17 standards allow for the destruction of those aquifers
18 that provide sustenance for humans and
19 Federally-protected natural habitat in both the
20 Amargosa Valley and Death Valley National Park. These
21 standards are entirely unacceptable to Inyo County. No
22 proposal or design that allows the release of
23 radioactive materials should be recommended to the
24 President. DOE should concede that the hydrogeologic
25 prerequisites necessary to isolate nuclear waste from
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1 the human environment are not present at the Yucca
2 Mountain site and seek further direction from Congress
3 regarding the issue of long-term handling of spent fuel
4 and high-level nuclear waste.

5 The scientific information necessary to make
6 a conclusion on site suitability does not exist, and
7 will not, even with an aggressive and well-funded
8 research and testing program, be available for years.
9 We would like to suggest an alternative approach.

10 In May, 2001, DOE released the documents
11 "Nuclear Waste Fee Adequacy Report" and "Total System
12 Life Cycle Cost of the Civilian Radioactive Waste
13 Management Program." These documents reveal that the

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14 total expected cost of the Yucca Mountain project is
15 projected to be \$56 billion, of which about \$7 billion
16 has been spent to date. A general estimate of the cost
17 to store spent nuclear fuel in NRC-certified
18 above-ground dry casks, with a useful life of 50 to 100
19 years each, is reported in the "Total System Life Cycle
20 Cost Report" as \$100,000 per metric ton, or about \$7
21 billion to encase the entire 70,000 metric tons of
22 spent fuel anticipated to be emplaced in Yucca
23 Mountain.

24 If we assume, for the sake of argument, that
25 the entire process of manufacturing and transporting
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1 dry casks, retrofitting nuclear generator, DOE and DOD
2 sites to meet NRC on-site storage license requirements,
3 and development and implementation of monitoring and
4 security measures for all sites totals out at \$15
5 billion, we can see a clear, relatively inexpensive and
6 expedient path to meet the nation's long-term storage
7 needs without building a centralized repository,
8 without incurring the health, accident and terrorism
9 risks associated with a 24-year spent fuel
10 transportation campaign, and without extracting an

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11 entire \$56 billion from nuclear power consumers. In
12 addition, the spent fuel would remain packaged in
13 accessible, readily monitored, repaired and replaced
14 containers for future reprocessing, transmutation, or
15 burial as necessary to our future needs and priorities.
16 This is the reasonable approach, readily
17 implemented, safe, and politically much more feasible.
18 We urge Secretary Abraham to recognize Yucca Mountain
19 as the deadend effort that it is, and proceed actively
20 seek congressional consideration of reasonable
21 alternatives. Alternatives that will save our society
22 billions of dollars, will save the federal government
23 decades worth of litigation and will spare California
24 and Nevada centuries of threat to our water and our
25 citizens.